(3) 1

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

WRIT PETITION NO. 1232 OF 2002

PETITIONER : Rajendra Kumar Sahu S/o Bhagirathi Sahu, aged about 32 years, Member Of Janpad Panchayat Magarload, R/o Village – Kundel, Tahsil – Kurud, Distt. - Dhamtari. (CG)

VERSUS

RESPONDENTS : (1) State of Chhattisgarh
Through: Secretary Department of Panchayat Mantralaya, Shashtri Chowk, Distt. – Raipur (C.G.)

(2) Collector
Dhamtari, Tahsil & Distt. Dhamtari.

P. R. No. 1263/2
Presented by Shri J. N. Tiwari
dated 3.10.02 at 3.20 p.m.

WRIT PETITION U/A 226/227 OF THE CONSITITUTION OF INDIA FOR ISSUANCE OF A WRIT IN THE NATURE OF MUNDAMUS, PROHIBITION CERTIORARY ETC.OR ANY OTHER DIRECTION OR ORDER TO DO JUSTICE IN THE MATTER.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(19)

आदेश पत्रक

W.P. No. 1232/2002

मामला क्रमांक ..... **सन्** 200

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

DB: Hon'ble Justice K. H. N. Kuranga, C.J.
& Hon'ble Justice L. C. Bhadoo, J.

14/10/2003

Heard Shri Awadh Tripathi, counsel for the petitioner and Shri Sunil Sinha, Additional Advocate General for the State/ respondents.

By this writ petition under Articles 226/227 of the Constitution of India the petitioner has challenged the vires of Section 36 (1)(m) of the M.P. Panchayat Raj (Amendment) Adhiniyam, 2000 and the show-cause notice issued by the respondent No.2- Collector, Dhamtari (Annexure P-2), whereby the petitioner incurred disqualification to continue as Office Bearer of Janpad Panchayat, Magarload, Tahsil-Kurud, District-Dhamtari because the third child was born to the petitioner after 26.01.2001.

We have heard learned counsel appearing for the parties.

Learned counsel appearing for the petitioner submitted that this matter is squarely covered by the judgment of the Supreme Court passed in the case of **Javed and others Vs. State of Haryana and others reported in 2003 AIR SCW 3892** and the order passed by this Court in the case of **Yashwant Kumar Sahu Vs. State of**

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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आदेश पत्रक

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	Chhattisgarh and another passed in Writ Petition No. 463 of 2002. In view of the above this petition does not survive and the same is dismissed. Now the Collector, Dhamtari will be at liberty to proceed with the matter further in pursuance to the notice (Annexure P-2) issued by him. Sd/- Chief Justice	Sd/- L.C.BHADOO Judge

[पीछे देखिये